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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/035,830

10/18/2001

Jun Tian

P0468

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23735 7590 08/04/2006

DIGIMARC CORPORATION
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BEAVERTON, OR 97008

EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT

PAPER NUMBER

2132

DATE MAILED: 08/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/035,830

Applicant(s)

TIAN, JUN

Examiner

Venkat Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-89 is/are allowed.
- 6) ☒ Claim(s) 1 and 3-9 is/are rejected.
- 7) ☒ Claim(s) 39 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


KAMBIZ ZAND
PRIMARY EXAMINER

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The result of the pre-appeal conference request filed on 5/25/2006 has been to maintain the rejections for Claims 1-9 and to allow Claims 10-39. The rejection/allowance of the Claims are fully addressed below.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claim 1,3-4, are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,215,421 B1 to Kondo et al.(hereinafter Kondo).

Regarding Claim 1, Kondo discloses the compressing the first media and embedding the first media into a second media signal see Abstract & Col 1 Ln 41-53; Kondo discloses the first data being related to second data see Col 1 Ln 41-53. And further see arguments above pertaining to Claim 1.

Regarding Claim 3, Kondo discloses the embedding of sorting order, determining the sort order by bit sequence, modulating the sorting order to match the sorting order associated with the symbol embedded see Col 1 54- Col 2 Ln 3 & Col 16 Ln 18-35. And see arguments above pertaining to Claim 3 above.

Claim 4 is rejected under the same rationale as Claim 1 above.

Claims 5-9 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,064,764 to Bhaskaran et al.(hereinafter Bhaskaran).

Regarding Claim 5, Bhaskaran discloses the decoding an auxiliary signal which has been compressed and decompressing it see Fig. 2 item 102 & Col 6 Ln 25-27 and use it to authenticate the signal see Col 6 Ln 45-58.(as decoding involves decompressing a JPEG image); decompressing version being perceptually similar to host signal see Col 5 Ln 5-9 & Col 5 Ln 58-61.

Regarding Claim 6, Bhaskaran discloses the decoding an auxiliary signal which has been compressed and decompressing it see Fig. 2 item 102 & Col 6 Ln 25-27 and use it to authenticate the signal see Col 6 Ln 45-58.(as decoding involves decompressing a JPEG image); decompressing version being perceptually similar to host signal see Col 5 Ln 5-9 & Col 5 Ln 58-61; the decoder analyzing the sorting order and look up symbol according to sorting order see Col 5 Ln 47-65.

Claim 7 is rejected along the same rationale as Claim 5 above and also see Col 7 Ln 64-66.

Regarding Claim 8, Bhaskaran discloses the decoding being performed on blocks on host see Col 4 Ln 10-16 & Col 5 Ln 5-19.

Regarding Claim 9, Bhaskaran discloses the decoding an auxiliary signal which has been compressed and decompressing it see Fig. 2 item 102 & Col 6 Ln 25-27 and use it to authenticate the signal see Col 6 Ln 45-58.(as decoding involves decompressing a JPEG image); decompressing version being perceptually similar to host signal see Col 5 Ln 5-9 & Col 5 Ln 58-61; the decoded blocks being used to authenticate host see Col 6 Ln 45-67. And see arguments above pertaining to Claim 9.

Allowable Subject Matter

Claims 10-38 are allowed. The following is an examiner's statement of reasons for allowance: with regard to Claim 10, the prior art does not fully disclose the hashing of blocks in the format recited in the claims; with regard to Claim 17, 24, 28, prior art does not address the subtracting of a reference signal and adding that signal into the watermark; with regard to claim 30, 38, prior art does not disclose the redundant instances of the signal being embedded.

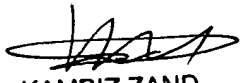
Claim 39 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



KAMBIZ ZAND
PRIMARY EXAMINER

Venkat Perungavoor
Examiner
Art Unit 2132



8/7/2006